

ILLINOIS POLLUTION CONTROL BOARD
July 9, 1992

QUANTUM CHEMICAL CORPORATION)
USI DIVISION,)
(MORRIS FACILITY),)
)
Petitioner,)
)
v.) PCB 90-214
) (Permit Appeal)
)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

ORDER OF THE BOARD (by J.C. Marlin):

On July 1, 1992, the parties filed a status report as directed by the Board's order of May 7, 1992. The parties report that they have continued to discuss various matters concerning this appeal. At this point, Quantum states that the Agency will have a revised closure plan by the end of the week of July 6, 1992. The Agency states that it will need 90 days to review this revised closure plan. The parties contend that due to the extensive effort of the parties to settle this proceeding, it is not cost or time effective to hold a hearing, since the revised closure plan should address all the issues on appeal. The parties therefore suggest that the appropriate action to take at this time is a status report during the week of October 12, 1992.

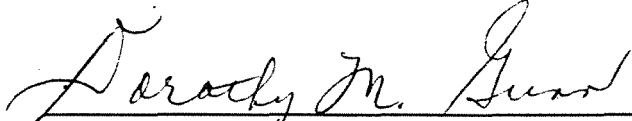
The Board notes that the decision deadline was waived until November 1, 1992. The status report states that "if requested, Quantum does not object to providing the Board with another waiver of the decision date".

Quantum is advised that if it wishes to request deferral of hearing in this matter, it is Quantum's duty to provide, and not the Board's to request, a waiver sufficient to allow Board deliberation in this case. The Board cannot accommodate the parties' suggestion given the current decision deadline. The hearing officer is directed to schedule this matter for hearing on or before July 24 and hearing is to be completed on or before August 24, 1992. However, the hearing officer may defer hearing and order the filing of a status report if an appropriate waiver is filed on or before July 24, 1992.

IT IS SO ORDERED.

0135-0005

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 9th day of July, 1992, by a vote of 6-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board